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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Donald R. Huffman et al. Examiner: P. DiMauro

Serial No.: 08/236,933

Art Unit: 1103

Filed: May 2, 1994

Docket: 7913zazy

For: NEW FORM OF CARBON

Dated: May 7, 1996

Assistant Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL RESPONSE

Sir:

In furtherance of the Response under 37 C.F.R. §1.115 dated April 14, 1996, applicants are submitting a DECLARATION OF DONALD HUFFMAN PURSUANT TO 37 C.F.R. §1.131 for entry in the above-identified case.

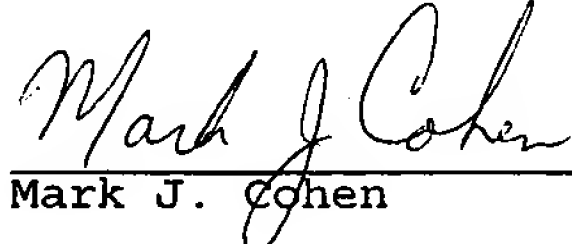
REMARKS

This is supplemental to the Response dated April 14, 1996. This response is directed to only one issue that was raised in the latest Office Action, namely the rejection of Claims 45-84, 96 and 160-203 under 35 U.S.C. §103 as allegedly unpatentable over the Huffman article in Nature Physical Science 1973, 243, 50-51 ("Huffman, et al.") in view of an article by Iijima in J. Phy. Chem. 1987, 91, 3466-3467 ("Iijima") and Russian Patent SO 1,587,000 ("Russian Patent"). The Office Action alleges that it would have been obvious to recover C₆₀ fullerene in a non-polar solvent, such as benzene or toluene, in view of the Russian Patent.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on May 7, 1996.

Dated: May 7, 1996


Mark J. Cohen

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Form PTO 1083

Case Docket No. 7913zazy

In re application of Donald R. Huffman et al.
 Serial No. 08/236,933
 Filed: MAY 2, 1994
 For: NEW FORM OF CARBON

Assistant Commissioner for Patents
 Washington, DC 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
☐ A verified statement to establish small entity status under 37 C.F.R. §§1.9 and 1.27 is enclosed.
☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL	* 157	** 307	= 0	x 11	\$ 0	x 22	\$
INDEP	* 12	*** 25	= 0	x 39	\$ 0	x 78	\$
[] First Presentation of Multiple Dep. Claim				+ 125	\$ 0	+ 250	\$
				Total	\$ 0	Total	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Previously Paid For" in this space is less than 20, write "20" in this space.

*** If the "Highest Previously Paid For" in this space is less than 3, write "3" in this space.

The "Highest Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

[] Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is attached.

[] A check in the amount of \$ _____ is attached.

- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-3886. A duplicate copy of this sheet is attached.
☒ Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.
☒ Any patent application processing fees under 37 C.F.R. §1.17.

Scully, Scott, Murphy & Presser Respectfully submitted,
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Mark J. Cohen
 Mark J. Cohen
 Registration No. 32,211

May 7, 1996
 Date